

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

ELSA ANCHONDO, on behalf of herself and  
all others similarly situated,

Plaintiff,

v.

CV 08-0202 RB/WPL

ANDERSON, CRENSHAW, & ASSOCIATES,  
L.L.C.,

Defendant.

**ORDER**

Modrall, Sperling, Roehl, Harris & Sisk, P.A. (Douglas G. Schneebeck) has filed a motion to withdraw as counsel for Defendant. (Doc. 110.) The motion does not comply with the Local Rules and will be denied.

Local Rule 83.4 provides that “[a] member of a firm may file a withdrawal of appearance from a particular case without meeting the requirements of D.N.M.LR-Civ. 83.8, provided that at least one member remains in the case.” D.N.M.LR-Civ. 83.4(b). Douglas Schneebeck appears to be the only attorney from Modrall, Sperling, Roehl, Harris & Sisk, P.A. representing Defendant. Thus, his withdrawal must comply with Local Rule 83.8.

In the case of an unopposed motion to withdraw,<sup>1</sup> Rule 83.8 states,

The motion to withdraw and proposed order must indicate the consent of the client represented by the withdrawing attorney and:

notice of appointment of substitute attorney; or  
a statement of the client’s intention to appear *pro se* and the client’s address  
and telephone number.

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<sup>1</sup> The motion states that it “has been circulated to all parties to this litigation and no opposition . . . has been communicated to counsel.” (Doc. 110.)

D.N.M.LR-Civ. 83.8(a). Modrall, Sperling, Roehl, Harris & Sisk, P.A. is local counsel for the Dunn Law Firm. Accordingly, Rule 83.8 must be read in conjunction with Rule 83.3, which provides that when out of state counsel associates with a member of the Federal Bar for purposes of appearing in an action, “[t]he Federal Bar member must . . . continue in the action unless another Federal Bar member is substituted.” D.N.M.LR-Civ. 83.3.

Because the motion does not indicate appointment of substitute local counsel, it does not comply with Local Rules 83.3 and 83.8 and is denied.

IT IS SO ORDERED.

  
WILLIAM P. LYNCH  
UNITED STATES MAGISTRATE JUDGE